

(Rev. 5/05)
ORIGINAL

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

(1) David M. Williams 173211
(Name of Plaintiff) (Inmate Number)

1181 Paddock Rd Smyrna, De 19977
(Complete Address with zip code)

(2) _____
(Name of Plaintiff) (Inmate Number)

(Case Number)
(to be assigned by U.S. District Court)

(Complete Address with zip code)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

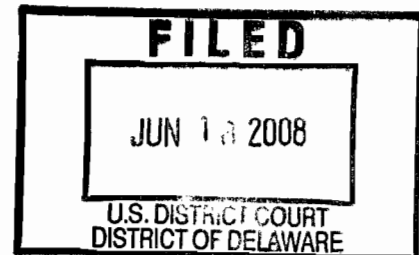
vs.

(1) Department of Corrections
(2) Correctional medical systems
(3) _____
(Names of Defendants)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

CIVIL COMPLAINT

• • Jury Trial Requested



*NO scanned
IFP*

I. PREVIOUS LAWSUITS

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

1:05 - CV - 00597 - GMS

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes •• No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes •• No
- C. If your answer to "B" is Yes:
1. What steps did you take? I went to medical, I was told to reply if problem persist
 2. What was the result? I wasn't placed on Sick Call list.
- D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS (in order listed on the caption)

- (1) Name of first defendant: Department of Corrections
 Employed as medical systems at James Vaughn Correctional
 Mailing address with zip code: 1181 Paddock Road Smyrna Delaware. 19977
- (2) Name of second defendant: Department of Correctional, Et, AL.
 Employed as n/a at n/a
 Mailing address with zip code: n/a
- (3) Name of third defendant: none
 Employed as none at none
 Mailing address with zip code: none
none
- (List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. I David M. Williams, injured my back on June 2nd 2008 I wasn't seen by medical until June 12th 2008, and I was moved From D-East to V-Building.
2. While at V-Building I was placed on a Top Bunk which caused me to hurt my back more because of the getting up and down off the top bunk.
3. The medical takes as much as a week to see a person, my foot is also problematic because of a screw in my foot I was also Chronic Care at one time.

V. RELIEF

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I want the Court to make the Prison give me my Status as Chronic Care and stop charging me for Chronic Care also to move me to a

2. Permenant bottom Bunk, because I
Continue to injure my back
due to the top bunk I
Keep being put on. and some
medical care by a professional.
3. also monetary damages for
negelience and deliberate indifference
to medical care, and pain and
suffering for lack of medical
Care. \$25,000

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 16th day of June, 2008.

David M. Williams

(Signature of Plaintiff 1)

(Signature of Plaintiff 2)

(Signature of Plaintiff 3)

DELAWARE DEPARTMENT OF CORRECTIONS
REQUEST FOR MEDICAL/DENTAL SICK CALL SERVICES
FACILITY: DELAWARE CORRECTIONAL CENTER

This request is for (circle one): **MEDICAL DENTAL MENTAL HEALTH**

David M. Williams

Name (Print)

11-09-64

Date of Birth

173211

SBI Number

V-Greentree

Housing Location

March 31st 2005

Date Submitted

Complaint (What type of problem are you having)?

Back and Right Foot Problems. Pain
in Back, need operation from injury on
job. And screw in Right Foot. Cannot do
Greentree Program due to injuries.

David M. Williams

Inmate Signature

3-31-05

Date

The below area is for medical use only. Please do not write any further.

S:

You have been scheduled for medical — 15

O:

Temp: _____

Pulse: _____

Resp: _____

B/P: _____

WT: _____

A:

P:

E:

Provider Signature & Title

Date & Time

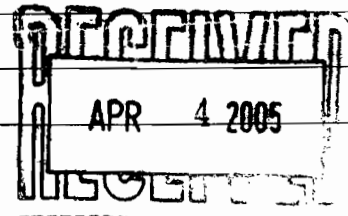
3/1/99 DE01

FORM#:

MED

263

Exhibit



HABEAS, Paper Documents

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:05-cv-00386-GMS
Internal Use Only**

Williams v. Carroll et al
Assigned to: Honorable Gregory M. Sleet
Related Cases: 1:01-cv-00191-SLR ✓

1:01-cv-00668-GMS ✓

1:88-cv-00505-LON ✓

1:91-cv-00472-JJF ✓

1:94-cv-00221-RRM

1:05-cv-00597-GMS ✓

Case in other court: DE Superior, 9807002178

DE Superior, 980700897

DE Superior, 980700898

Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 06/13/2005

Jury Demand: None

Nature of Suit: 530 Habeas Corpus
(General)

Jurisdiction: Federal Question

Petitioner

David M. Williams

represented by **David M. Williams**

SBI #173211

Delaware Correctional Center

1181 Paddock Road

Smyrna, DE 19977

PRO SE

V.

Respondent

Warden Thomas Carroll

represented by **Gregory E. Smith**

Department of Justice

820 N. French Street, 6th Floor

Wilmington, DE 19801

(302) 577-8400

Email: greg.smith@state.de.us

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Respondent

**Attorney General of State of
Delaware**

represented by **Gregory E. Smith**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/13/2005	<u>1</u>	PETITION for Writ of Habeas Corpus - filed by David M. Williams. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3)(els,) (Entered: 06/14/2005)
06/13/2005	<u>2</u>	Letter to Clerk from David Williams regarding indigent status. (Attachments: # <u>1</u> Commissary Statement)(els,) Modified on 6/30/2005 (dab,). (Entered: 06/14/2005)
06/22/2005		Case assigned to Judge Gregory M. Sleet. Please include the initials of the Judge (GMS) after the case number on all documents filed. (rjb,) (Entered: 06/22/2005)
07/19/2005	<u>3</u>	ORDER, granting request to proceed informa pauperis and notifying petitioner that AEDPA applies to petition. Petitioner must file attached election form with the court. (Copy to pet. with Mag. Consent Form & AEDPA Form) Notice of Compliance deadline set for 8/18/2005.. Signed by Judge Gregory M. Sleet on 7/19/05. (mmm,) (Entered: 07/19/2005)
07/26/2005	<u>4</u>	AEDPA Election Form filed by petitioner and requesting the Court to rule on the 2254 as currently pending. (asw) (Entered: 07/26/2005)
08/19/2005	<u>5</u>	Letter to the Honorable Gregory M. Sleet from David M. Williams. (Attachments: # <u>1</u>)(mmm) (Entered: 08/22/2005)
08/31/2005	<u>6</u>	ORDER, Clerk shall serve by certified mail a copy of the petition, the order dated 7/19/05, the AEDPA election form, the supplemental letter with an attachment, and this order upon the Warden and the Attorney General. Within 45 days of receipt, respondents shall respond as directed. (Copy to petitioner, Warden & AG). Signed by Judge Gregory M. Sleet on 8/26/05. (mmm) (Entered: 08/31/2005)
08/31/2005	<u>7</u>	Postal Receipt(s) for the mailing of the documents referred to in D.I. 6 to Thomas Carroll, Attorney General of State of Delaware. (mmm) (Entered: 08/31/2005)
09/02/2005	<u>8</u>	ACKNOWLEDGEMENT OF SERVICE Executed as to <u>6</u> Order (AEDPA) Service Order (2254), Order (AEDPA) Service Order (2254) Acknowledgement filed by Attorney General of State of Delaware. (mmm) (Entered: 09/06/2005)
09/02/2005	<u>9</u>	Return of Undeliverable Mail sent to Warden, Delaware Correctional Service. (mmm) (Entered: 09/06/2005)
09/06/2005	<u>10</u>	Postal Receipt(s) for the re-mailing of process to Thomas Carroll. (mmm) (Entered: 09/06/2005)
09/09/2005	<u>11</u>	ACKNOWLEDGEMENT OF SERVICE Executed as to <u>6</u> Order (AEDPA) Service Order (2254), Order (AEDPA) Service Order (2254). Acknowledgement filed by Thomas Carroll. (mmm) (Entered: 09/09/2005)
10/17/2005	<u>12</u>	NOTICE of Filing of State Court Records by Thomas Carroll, Attorney

		General of State of Delaware (Attachments: # <u>1</u> Certificate of Compliance service)(Smith, Gregory) (Entered: 10/17/2005)
10/17/2005	● <u>13</u>	First MOTION for Extension of Time to File Answer - filed by Thomas Carroll, Attorney General of State of Delaware. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Certificate of Compliance service# <u>3</u> Certificate of Compliance Rule 7.1.1)(Smith, Gregory) (Entered: 10/17/2005)
10/18/2005	●	SO ORDERED, re <u>13</u> First MOTION for Extension of Time to File Answer filed by Attorney General of State of Delaware, Thomas Carroll, Reset Answer Deadline: Thomas Carroll answer due 10/21/2005; Attorney General of State of Delaware answer due 10/21/2005. Signed by Judge Gregory M. Sleet on 10/18/05. (asw) (Entered: 10/18/2005)
10/20/2005	● <u>14</u>	RESPONSE to Petition for Writ of Habeas Corpus by Thomas Carroll, Attorney General of State of Delaware. (Attachments: # <u>1</u> Certificate of Compliance service)(Smith, Gregory) (Entered: 10/20/2005)
11/01/2005	● <u>15</u>	DEFICIENCY NOTICE by the Court issued to David Williams returning Letter dated 10/27/05 with exhibits due to lack of service on local counsel. (asw) (Entered: 11/01/2005)
11/28/2005	● <u>16</u>	Letter to Honorable Gregory M. Sleet from David M. Williams regarding additional caselaw to support his petititon - re <u>1</u> Petition for Writ of Habeas Corpus. (mmm) (Entered: 11/30/2005)
02/22/2006		***Set Paper Documents Flag (rbe,) (Entered: 02/22/2006)
05/04/2006	● <u>17</u>	Letter to Clerk of the Court from David M. Williams regarding request for docket sheet. (mmm) (Entered: 05/04/2006)
05/04/2006	●	EXIT docket sheet to the petitioner on 5/4/06. (mmm) (Entered: 05/04/2006)

IM: David M. Williams

SBI# 173211 UNIT 23-A-upper 8

DELAWARE CORRECTIONAL CENTER

1181 PADDOCK ROAD

SMYRNA, DELAWARE 19977

U.S.M.S.
X-RAY



US District Court
Lock Box 18
Wilmington, Delaware
19801

Legal
mail